

01/24/05 11:40 FAX

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\* ALSO ADMITTED TO PRACTICE IN NJ  
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## FACSIMILE TRANSMITTAL SHEET

January 24, 2005

To:	PCT (EO/DO/US)	From:	Day Karlo. (dkarlo@crbcp.com)
Attn.:	Deborah Williams	Time:	
Fax No.:	703 305 3230	Our Ref.:	B1180/20030
Pages:	(including cover)		

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### COMMENTS

Re : U.S. Application No. 10/511,950

Dear Ms. Williams:

Further to our telephone conversation on Friday, January 21, 2005, I enclose copies of the papers in response to the Notification of Missing Requirements. These papers were sent by Express Mail on November 30, 2004.. A copy of the stamped return receipt post card is also attached.

If you have any questions, please call me.

Day Karlo  
215-567-2010

Attached: Transmittal Letter  
Calculation sheet  
Submission of Declaration  
Declaration  
Return receipt post card  
Copy of Notification of Missing Requirements..

11<sup>th</sup> Floor · Seven Penn Center · 1635 Market Street · Philadelphia, PA 19103-2212

Telephone: 215-567-2010 · Fax: 215-751-1142 · www.crbcp.com

SUBSTITUTE FORM PTO-1190 (REV. 10-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER B1180/20030	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/511,950	
INTERNATIONAL APPLICATION NO. PCT/EP03/04148		INTERNATIONAL FILING DATE April 22, 2003		PRIORITY DATE CLAIMED April 22, 2002	
TITLE OF INVENTION		MEASURING DEVICE, PARTICULARLY FOR CONDUCTING SPECTROSCOPIC MEASUREMENTS			
APPLICANT(S) FOR DO/EO/US		Hans Joachim BRUINS			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Express Mail certificate no. EL962209460US, return receipt postcard					

PAGE 3/9 \* RCVD AT 1/24/2005 11:36:41 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-2/0 \* DNIS:7465092 \* CSID: \* DURATION (mm-ss):02:58

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant(s): Hans Joachim BRUINS

U.S. App. Serial No: 10/511,950

International App. No.: PCT/EP03/04148

Filed: October 21, 2004

International Filing Date: April 22, 2003

Att. Docket No.: B1180/20030

Confirmation No.:

For: Measuring Device, Particularly For Conducting Spectroscopic Measurements

**SUBMISSION OF DECLARATION**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants enclose a Declaration executed by the inventor to complete the filing requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US). Authorization to charge the small entity surcharge under 37 CFR 1.492(e) is granted in the attached Transmittal Letter.


The Declaration is compliant with 37 CFR 1.497(a) and (b), when read in conjunction with the Application Data Sheet filed (October 21, 2004), which identifies the International Application Number (PCT/EP03/04148) and International Filing Date (April 22, 2003). 37 CFR §§ 1.497(c) and 1.67.

As of this date a Notification of Missing Requirements Under 35 U.S.C. 371 has not been received. Applicant respectfully requests that a Notice of Acceptance be issued.

Respectfully submitted,  
CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

November 30, 2004

By

  
David M. Tener  
Registration No. 37,054  
Customer No. 03000  
(215) 567-2010  
Attorneys for Applicant(s)


Please charge or credit our Account No.  
03-0075 as necessary to effect entry and/or  
ensure consideration of this submission.

Application No. 10/511,950

**Express Mail Certification**

I hereby certify that this correspondence (including all attachments referenced herein) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 with the Express Mail No. EL 962209460 US in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 30, 2004.

  
 Judy Perez

 EL 962209460 US		<b>EXPRESS MAIL</b> UNITED STATES POSTAL SERVICE®		Customer Cc Label 11-6 June
<b>ORIGIN (POSTAL USE ONLY)</b> PO ZIP Code: 19103 Date: 11/30/04 Delivery: 4:30 PM Weight: 2.70 lbs. No Delivery: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> METHOD OF PAYMENT: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> BUSINESS MAIL PERMIT NO.: 180/20030		<b>DELIVERY (POSTAL USE ONLY)</b> Delivery Attempt: <input type="checkbox"/> <input checked="" type="checkbox"/> Mo. Day: 11/30/04 Time: 4:30 PM Employee Signature: _____ Delivery Attempt: <input type="checkbox"/> <input checked="" type="checkbox"/> Mo. Day: 11/30/04 Time: 4:30 PM Employee Signature: _____ Delivery Date: 11/30/04 Time: 4:30 PM Employee Signature: _____		Post Office to Address: _____
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App. Serial No.:	10/511,950
First Inventor:	Hans Joachim Bruins
Filing Date:	October 21, 2004
Title of Invention:	Measuring Device, Particularly For Conducting Spectroscopic...
Group Art Unit:	
Examiner Name:	
Confirmation No.:	
Atty. Docket No.:	B1180/20030

The PTO stamp upon this card acknowledges the receipt of the following items regarding the matter identified above: Express mailing certificate no. EL962209460US, Transmittal Letter, Calculation Sheet, in duplicate, Submission of Declaration and Declaration.

DT07 Rec'd PCT/PTO 30 NOV 2004

dk Date Mailed: November 30, 2004



01/24/05 11:42 FAX

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Page 2 of 2

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,950	PCT/EP03/04148	B1180/20030

FORM PCT/DO/EO/905 (371 Formalities Notice)